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PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

SHULDINER, et al.

Serial Number: 09/831,373

Filed: August 21, 2001

Atty. Docket No. P108172-00069

For: GENETIC MARKERS WHICH IDENTIFY INDIVIDUALS WHO IMPROVE
THEIR DIABETES STATUS WITH EXERCISE

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Date: November 28, 2001

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the information item(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each item(s) is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the item(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date, OR (b) before the mailing date of a first Office Action on the merits in the present application, OR (c) accompanies a Request for Continued Examination. No certification or fee is required.
- 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- A check in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.
- 3. The Examiner's attention is directed to co-pending U.S. Patent Application No. 09/622,910, filed on November 21, 2000 and U.S. Application No. 09/620,579, filed on July 20, 2000, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance

of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination of the present application.

Respectfully submitted,



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